

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,

Debtor.<sup>1</sup>

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC., *et al.*,

Plaintiff / Plaintiff-Intervenors,

Adv. Proc. No. 21-03863 (DRJ)

v.

ELECTRIC RELIABILITY COUNCIL OF  
TEXAS, INC., *et al.*,

Defendant / Defendant-Intervenors.

**STIPULATED AND AGREED ORDER  
EXTENDING MEDIATION OUTSIDE DATE  
[Related to Adv. Dkt. Nos. 543, 549, 558 & 577]**

**WHEREAS**, on March 25, 2022, the Court entered an order (the “Mediation Order”)<sup>2</sup> [Adv. Dkt. No. 543] appointing the Honorable Marvin Isgur, United States Bankruptcy Judge, as mediator in the above-captioned Adversary Proceeding;

**WHEREAS**, the Mediation Order provided, among other things, that the Mediation shall terminate on the earlier of (a) the date on which Judge Isgur determines that the Mediation has

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<sup>1</sup> The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor’s claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor’s address is 7616 Bagby Avenue, Waco, TX 76712.

<sup>2</sup> Capitalized terms used but not otherwise defined in this order shall have the meanings assigned to them in the Mediation Order, Second Mediation Order, and Third Mediation Order, Fourth Mediation Order, as applicable.

terminated or (b) April 25, 2022 (the “Mediation Outside Date”) unless the Mediation Outside Date is extended by (x) agreement of each of the Parties or (y) an order of the Court; and

**WHEREAS**, on May 3, 2022, the Court entered an order (the “Second Mediation Order”) [Adv. Dkt. No. 549], extending the Mediation Outside Date through and including May 25, 2022 (the “Extended Mediation Outside Date”);

**WHEREAS**, on May 24, 2022, the Court entered an order (the “Third Mediation Order”) [Adv. Dkt. No. 558] extending the Extended Mediation Outside Date through and including June 13, 2022;

**WHEREAS**, on June 10, 2022, Judge Isgur presented his mediator proposal (the “Mediator Proposal”) to all the Parties participating in mediation;

**WHEREAS**, on June 20, 2022, the Court entered an order (the “Fourth Mediation Order”) [Adv. Dkt. No. 577] extending the Extended Mediation Outside Date through and including June 30, 2022;

Based on the forgoing and upon the request and agreement of the Parties, it is **HEREBY ORDERED** that:

1. The Extended Mediation Outside Date is further extended through and including July 31, 2022.
2. During the Mediation, the Trial is abated. The Parties agree that Appellant’s Fifth Circuit brief will be due August 14, 2022; the Parties agree to file a joint motion requesting that the Fifth Circuit extend the deadline for Appellants to file their opening brief on the merits until August 14, 2022.
3. The Court will conduct a continued status conference in this Adversary Proceeding on July 13, 2022, at 1:00 p.m. (prevailing Central time).

4. The Court retains jurisdiction in connection with this Order and all matters related thereto.

Submitted by:

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